

**The Probate Examiners can be reached at
ProbateNotes@courts.sbcounty.gov. Emails must have the case
identification information and hearing time/date in the subject line. No
attachments will be opened. Probate Examiners can only respond to
inquiries regarding the meaning of comments in the notes. PLEASE DO
NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO
REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN
RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or
procedural advice may be given.**

CIVCAL4 Barstow District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JOHN B GIBSON

DATE: 11/04/08 TIME: 8:30 DEPT: B1P

CASE #: BG BS00407

CASE NAME: MICHAEL LEANDRO ACOSTA
HEARING:
Hearing re: Petition for Termination of Guardianship

COUNSEL:
IRENE MUNOZ (PET)...PRO/PER
THOMAS G MUNOZ (PET)...PRO/PER
MICHAEL LEANDRO ACOSTA (MIN)...

GENERAL INFORMATION See matter on next page.

THIS CASE IS SET FOR HEARING ON Petition to terminate guardianship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The petitioners are the guardians, but indicate on the petition that they are the minors. They set forth no basis for the termination of the guardianship. They indicate that the basis is set forth in attachment 5. There is no attachment 5.
2. Petitioners indicate that the father has not seen the child since the child was 3 months old. Minor will be 17 on 12-18. It is believed that this statement is made by petitioner in an effort to avoid notice to father and paternal grandparents.
3. File notice of hearing and proof of service on all persons listed in section 9 and all persons who should be listed in section 9.

RECOMMENDATION:

None.

CIVCAL4 Barstow District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JOHN B GIBSON

DATE: 11/04/08 TIME: 8:30 DEPT: B1P

CASE #: GARBS800031

CASE NAME: GUARDIANSHIP OF MICHAEL ACOSTA

HEARING:

Hearing Re: PETITION FOR APPOINTMENT OF GUARDIAN

COUNSEL:

MICHAEL LEANDRO ACOSTA (MIN)...
EILEEN ACOSTA (PET)...PRO/PER
DANIEL GURULE (PET)...PRO/PER

GENERAL INFORMATION It appears that this petition is really a petition for successor guardianship and should have been filed in the file above. Apparently the current guardians want to resign and new guardians want to be appointed.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by aunt and uncle, minor 16.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Minor is currently under guardianship to his grandparents.
2. File notice of hearing and proof of personal service on mother, father and minor or file due diligence declaration. Petitioner alleges that father has not been seen since minor was 3 months old and his location is not known. Did court wish to waive notice to father.
3. Petitioner alleges that paternal grandparents are unknown and as father's whereabouts are unknown they cannot ascertain the identity of the paternal grandparents. Did court wish to waive notice to paternal grandparents? Judge to decide.
4. The maternal grandparents/guardians have signed consent and waiver.

RECOMMENDATION:

Consolidate this case into the matter on page 1. Court will have to remove current guardians before appointing the instant petitioners. The instant petition should be treated as a petition for appointment of successor guardians and not as a new petition. Court will have to make determinations on to whom notice should be required. Court's discretion.